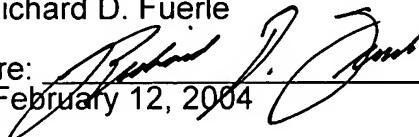




I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to:

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

On: February 12, 2004  
By: Richard D. Fuerle

Signature:   
Date: February 12, 2004

**RECEIVED**

FEB 20 2004

OFFICE OF PETITIONS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Peter A. Montana II

Examiner: Unknown

Serial No.: 10/065,113

Group Art Unit: Unknown

Filed: September 18, 2002

For: CAN CARTON CAP

The Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

**PETITION TO REVIVE UNINTENTIONALLY  
ABANDONED APPLICATION FOR PATENT  
PURSUANT TO 37 C.F.R. 1.137(b)**

02/19/2004 AWONDAF1 SJ00053 10065113

01 FC:2453

665.00 OP

Applicant hereby petition the Commissioner for revival of the above-identified application for patent.

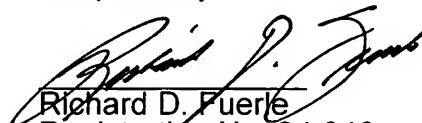
On September 26, 2002, Applicant was mailed a "NOTICE TO FILE CORRECTED APPLICATION PAPERS" (copy enclosed). The due date was November 26 2002. That document was misfiled and was not noticed by Applicant's attorney. As a result, the above patent application went abandoned. A Notice of Abandonment was mailed January 22, 2004. At that time a search was conducted and the September 26, 2002 Notice was located.

Applicant encloses herewith the new enlarged drawings required by the Notice of September 26, 2002.

The entire delay in filing the required reply from the due date for the reply (November 26, 2002) until the filing of this petition pursuant to 37 CFR 1.137(b) was unintentional.

Applicant respectfully requests that this Petition be granted. A check in the amount of \$665.00 for this Petition is enclosed.

Respectfully,



Richard D. Fuerle  
Registration No. 24,640  
For Applicant

Richard D. Fuerle  
1711 West River Road  
Grand Island, NY 14072  
(716)-774-0091  
February 12, 2004

CASE PM01